

159. <sup>32.</sup> An Impartial <sup>34 1/6</sup>  
ACCOUNT  
Of Some  
REMARKABLE PASSAGES  
IN THE  
L I F E  
O F  
ARTHUR  
EARL of *K Herbert*  
TORRINGTON:  
TOGETHER  
With some Modest REMARKS  
ON HIS  
Tryal and Acquittment.  
*M. 46.*

177  
London, Printed for Robert Fowler, 1691.

An Inquiry

ACCOUNT

REMARKABLE PASSAGES

LIFE

ARTHUR

EARL OF

TORRINGTON

TOGETHER

With some Models REMARKS

ON HIS

Temper and Behaviour

M. 6

London, Printed for Robert Foulger, 1696.

T H E  
P R E F A C E.

**I**T is not perhaps very easie to find any one Person beneath the degree of a Sovereign Prince, whose Name has for this last Year at least, made greater noise in Europe, than my Lord Torrington's, the subject of this present History. We have seen Mercuries and Gazetts, publick and private Letters, and even some whole Books and Pamphlets, fill'd up with little else than his History, and censures upon his Actions, relating to the late Fight at Sea, between the Fleet of the French, Dutch and English; all which different Nations have given some Accounts thereof, and yet they have all been received by the Publick with great satisfaction and greediness. It may not therefore 'tis hoped, be less acceptable to publish a Short and Impartial Account of the entire Life and Actions of that Noble Lord, as far as the Memoirs thereof have come to Hand, which we promise to perform with as much Decency and Faithfulness as is possible, relating only meer matter of Fact, grounded for the most part on publick Prints, and Authentick Instruments; or

## The Preface.

at least the Attestations of such as have been personally present in the Actions hereafter mentioned. Indeed a good Historian ought to be the greatest Trimmer in the World, as he must be if Truth and he are together ; for that is generally divided, and one party monopolizes her. Accordingly, tho' perhaps never was there yet Writer who did not really lean more to one Party than another ; nor would it look other than ridiculous for him, who is engaged in this present Design, to pretend an Exemption from that common Fate of all Mankind : He'll yet engage thus much, that no Man shall by what he here writes, discover what Party he favours, he resolving with as much Justice and Calmness as possible, according to all Reflections and Refinings on matter of Fact, usual with the most of Writers, to relate that, bare and naked as he has received it ; and where the Relators differ, truly to represent what is pretended on either hand, leaving the Reader upon the whole, to make what Judgement he thinks fit of what is here fairly laid before him,

By

His Humble Servant, &c.



THE  
LIFE of the E. of TORRINGTON.

THE INTRODUCTION.

**N**othing in the whole course of Nature, generally speaking, can be more uncertain and variable than the Fortunes of great Men. There was reason enough for that ingenious wish of a very good Man, *God help poor Kings*; for if ever their subordinate Ministers have such a weight of business on their Shoulders, and it's success so doubtful and uncertain; and the Prince too must be reflected on for the Misfortunes or Crimes of those he employes; he has sure such a weary Life on't, that he rather ought to be Pity'd than Envy'd. But the best is, supposing Fortune frowns at one time; ten to one but from her very natural inconstancy she continues not long in that temper, but smiles again as merrily as ever, and then those who are her Favorites are so to all the World; and whether or no the people think God loves 'em, because they love good Fortune, as a late Philosopher tells us, 'tis certain they themselves do so; most of Mankind having a touch of the Turkish Religion, and Policy, if a Man prospers he's brave, and deserves Preferment, if he does not he's all the Rogues in the World, and deserves the Bowstring. Thus, to bring all to the Point, a few days since, we cou'd never hear a certain great Man's name mention'd but with a Curse or two, or at least a hearty wish at the end on't, whereas now he's found innocent of what he has been charg'd with; not a Coffee-house but is full of his Compurgators and Defenders, and every one is ready to pay him as much Civility and Compliments as the Ships did in his triumphal return to *London*. Tho' nothing more likely than that, had his Fate been otherwise than thus prosperous, some of those very Persons wou'd have been as forward as any to have thrown up their Hats when they stood round his Scaffold, Much like the pleasant account that *Roman-Oldham*, I mean as *Juvinal* gives us of that great Favourite *Sejanus*: when he fell, all the weight and fury of the people fell after him, or rather upon him, whereas had he had success in his Enterprize.

*Hac ipsa Sejanum diceret hora Augustum.*

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Somewhat like the Reverse of which we have just seen practis'd in the case before us: Tho' after all, it must be confess'd that such mean affections as these only touch, at least so strongly, the weak and base Vulgar (be they the great or small) while a Man of true worth stands intrepid and unmov'd when himself is in danger; and after having made a calm and sober judgment of Persons and Things, is never alter'd by circumstances foreign to the Essence of the Cause which may afterwards happen.

Had those thoughts been met with in any other place than the Introduction to my Lord *Torrington's* Life, I yet fancy they are so natural on the Subject, any one wou'd have guess'd 'em design'd for that purpose. But we must leave building the Porch, and conduct the Reader into the House; wherein, tho' we shant pretend to shew him what wou'd be neither worth his while nor ours; every Closet, Cellar, and particular Corner, yet we'll endeavour to pass by no considerable or beautiful part of it without his view, I mean, take care to inform him in all the most remarkable and notable transactions of My Lord *Torrington's* Life, tho' omitting smaller Circumstances, not so well worthy notice, especially since there is matter enough before us of such a nature as will scarce fail of giving very good direction and entertainment to the curious Reader.

The Family from whence he there took his Original, was Genteel, if not Noble; and had some Estate belonging to it, being related to a Noble Lord of the same name. What fortune his other Brothers had, is not much to our purpose to enquire, nor some unhappy circumstances which concern'd a nearer Relation: The actions of his own Life being only our immediate Province. Suffice it therefore, that the way he pitch'd upon to enlarge his Fortunes, and make 'em equal to his mind, was Sea-Service, which had rais'd so many brave Men to Honours and Estates; and to which he it seems had a more particular inclination than any other way of Life.

In pursuance of which Resolution, by the favour of the then Duke of *York*, who profess'd a more than ordinary kindness to him; till on the Test business he serv'd him, as he did all the rest of his Friends. He had his desire, and after having pass'd the Rudiments of that Art under experienc'd Teachers, obtain'd himself a Commission. And the first he had, if I am not mistaken in the name, was for the *Pembroke* in the *Streights*; for tis there that I can find the first mention of Captain *Herbert* on the publick

Stage

stage of Action, where he has been so long conversant and so often and so warmly engaged, that he seems to have reason in insisting on his Service more in vindication of his Courage when questioned by his Accusers. 'Twas in or about the beginning of March or end of February, *Ann. Dom. 1667.* when he signalized himself there against a *Zelander*, we being then at War *Holland*; the account of which Action take as the publick Prints then gave it, ( and the same Method for the main, as the most fair and impartial, shall be as it has been taken in what's written on so tender a Subject; for thus only are we likely to have Actions of this Nature represented without Flattery or Envy.)

Our Letters then from *Cadiz*, dated in *March* gave an account: That *Captain Herbert* in the *Pembroke* was then in that Port, being newly returned from a fresh dispute with a *Zeland Man* of War of 34 Guns and 180 Men, with whom he fought some days before in sight of that Bay from two in the afternoon till the night put an end to that days work. All that night the *Pembroke Frigate* carrying out a Light for the *Zealander*, and the next morning, being to the Windward, fir'd a Gun and bore up to reingage her; but the *Zealander* being the nimbler sailer bore away once or twice before the wind, declining any further dispute; which the *Frigat* perceiving and fearing to be put to Leeward of the Port by a fruitless pursuit, the Wind then blowing a strong *Levant*, came again for the Bay, which the *Zealander* wanted not the confidence to boast of as a mark of his Victory. Since this the *Frigat* being put a shore to wash and tallow, the *Zealander* made several Challenges, but went out again to Sea before the *Frigat* could get ready. Yesterday morning the *Zealander* coming in, the *Frigat* being ready went out to meet him, and passed five times upon him within Pistol shot, until the *Zealander* finding the service too hot, bore in for the Bay, pursued for a long time by the *Frigat*, who being unable to overtake him, fir'd her Chase-Gun and stood out again to Sea; the *Zealander* answering her Challenge with a friendly Salute of three Guns to Leeward; but yet thought it convenient to put into the Bay, where he triumphantly fired all his Guns, leaving the *Pembroke* at Sea in vain attending him till the next morning. The *Captain* of the *Zealand* afterwards came ashore, endeavouring to persuade the People that his *Main-Mast* was disabled, and that he wanted Shot for his Guns. In this Dispute the *Frigat* had seven Men killed and five hurt, but none mortally; and her *Fore-Mast* somewhat disabled, but will speedily be refitted and made serviceable.

After this Rencounter, he continued in the *Straits*, till Rere-Admiral



Admiral *Kempthorn* and his Squadron from *Cadix* and *St. Lucar*, went towards the *Streights* mouth to meet the *Pembroke*, with sixteen or seventeen sail of Merchants under his Convoy; and having found them, say'd for *England*, and came all into Port at *Plymouth* about the middle of *May*, only the *Pembroke* had the misfortune off of the Island of *Portland*, in the night, to fall foul of the *Fairfax*, and sunk to rights; but Captain *Herbert*, and all his Men (except a few sick Persons who cou'd not shift for themselves, nor in such a hurry be reliev'd by others) were sav'd, and came with the rest into *Portsmouth*. But we shall agen meet Captain *Herbert* in the *Streights*, and that in a higher Station than now some few years ago. In the mean while he was present, and vigorously engaged in the *Dutch Wars* here at home.

Who was the Occasion of those Wars, by whom Contrived, and to what Ends fomented, *Europe* is not now to learn. Honour and Interest, the two great Fire-brands of the World were made use of too successfully to encrease and maintain this unlucky Flame kindled between two Protestant Nations. The Complement of the Flag, and the Fishery of the British Seas, both of which the *English* had pretended to and possessed for immemorial Ages; which Possession created a Right, and that Right we had still secured by Arms. For this the *States of Holland* now struggled with us; for indeed, whatever Pretences there were on either side, the Dominion of the Sea was the thing in Competition, for which the two Nations were now no contemptible Rivals to one another, while the *French Fleet*, sometimes joyning with one side, and sometimes with the other, learnt Experience at our cost, and the way to Beat us both. For while they were little more than Spectators, never were fiercer Fights on the Ocean than those between the *English* and *Dutch*, who with an unparallell'd Obstinacy and Valour would not rarely engage each other two or three days successively, and many times in the year refit for the same Exercise; sometime they beating us in our Harbours, another time we them, they burning and taking our Ships, and we theirs, as at *Chattan* and the *Kly*, and very commonly both Sides making Bonfires, and giving Thanks for a Victory, when being soundly bang'd was all that either had to boast of. Neither the Fight of *Solebay*, where the brave Earl of *SANDWICH* was unfortunately lost, and Sir *Fretchville Hollis* in the *Cambridge*, nor the next off  
the

The Oyster-Bank will easily be forgotten, when the forementioned Ship the *Cambridge*, of which Captain *Herbert* was Commander, after a desperate Fight, was sent into Port disabled, having been so long, and so warmly employ'd, was at last by Prince *Rupert* (together with the *Resolution*) sent into Port disabled, having fought so long, until she had not many sound Men left aboard her; several of the *Dutch* in the same Engagement, being Sunk down-right; others as they were going into their own Ports, and most of them extreamly shatter'd and broken.

By these Services and others of that Nature, he began now to be named among those other Great Men, whose memories are like to last as long as the Sea invirons our *Island*.— Sir *John Narborough*, Sir *Edward Sprague*, Sir ——— *Mins*, and others, both Dead and Living; whom even their Enemies could not deny as brave as any living, nor had Captain *Herbert* at that time other than a fair Reputation acquired by the same Hazards, which together with the Favour of the Court, soon advanced him higher, and the War with the *Dutch* being at last happily accommodated, he Commanded a Squadron sent into the Straights, where he won his greatest Glory.

The Occasion of his going thither, *England* has no reason to forget. *Tangier* was thrown in as Vantage, to a hopeful Bargain we made with a certain Neighbouring Nation. What a Grave that place was to many Hundred Thousands, if not Millions of Money, and many Hundreds, and Thousands of Brave Men, to be only Demolished after all, is not very much to the Honour of those Councils, which then were at the direction of Affairs; and well it had been, had it been Demolished, that very day in which 'twas Delivered to the *English*.— However, it being then thought of great Consequence to the Nation; in respect of our Straights Trade, we maintained for that end a strong Garrison in it, and had at last something of Trade, but enlarging our Borders a little further in the Countrey, than the *Advers* were willing to give us leave, we



drew down all their Force upon us, who with Numerous Armys invested the Place, and assisted by some Wicked Renegades, pressed it very vigorously: For the relief whereof, the brave Earl of *Ossery* designing, was taken sick and Dyed, as much lamented, as it was possible, just as he was entering on the Voyage.

Hither then was Admiral *Herbert* sent with a Fleet under his Command, to assist our People there. And action enough he found both by Sea and Land attending him, by Sea, in a very smart Rencontre with several *Turkish* Men of War, most (or all of which were there Taken, Burnt, or Stranded, after a Desperate Resistance. But by Land, the Service was (if possible) yet warmer; for upon some Sally, and other action between the *Moors*, and the Town, the Admiral not only drew his Ships near the Shoar, firing incessantly on the Infidels, and doing thereby very good Service, but also landed a good number of Seamen, who sallied with the Garrison against the Besiegers, and gave the Black Gentlemen such Entertainment, as they never before met with in their Lives, throwing themselves into and over all their Lines and Trenches, and piercing into the very Heart of their Camp, afterwards Retreating again (though not without loss) yet with incomparable Bravery, and much Honour, being favour'd by the *Spanish* Horse, who really stood to it to some purpose, or else they had probably been very ill dealt with by the Enemy. After business there dispatch'd, the Admiral's returned with his Fleet for *England*, continuing in the same Station till King *James* his Reign.

All Europe rung of King *James*'s Famous Declaration for Liberty of Conscience, about this time published to the World, and of those methods he used in pursuance thereof, to get all those Laws Repeal'd which were inseperable Obstacles to the same. Officers Civil and Military, were every where Canvass'd, and now was the time when this King, who is Notorious for having never been worse than his word, was resolved to requite all the old Faithful Servants to the Crown and him. He was indeed re-

solved

solved to have two Strings to his Bow, to alter the Government, as hath been said, both Civil and Military, That if he could not by the Gown, he might by the Sword obtain his Desires—

Nay, so fully bent were they on these Pernicious Councils, that some of the fam'd Regulators themselves have no Blush to say (though 'tis hoped they may to read this, since they are yet alive) That if the Parliament would not Repeat the Penalties, the King had another way, and Forty Thousand Men should do it without him. To this end Sea-Officers were attackt, as well as those at Land, and among many other great Men, and great Favourites, (for the Truth is, the Court had then small respect of Persons) Vice-Admiral *Herbert* lost his place, and kept his Honour, being proof against all the Insinuations that could be made to oblige him to betray the Nation. And some time after lost his Ungrateful Master for good and all, and betook himself to the Court of the then Prince of *Orange*, together with other Nobler Lords, for, indeed, that then seemed the *English* Court, and *Whitehall* one of the old *Irish* Kings *Tendragree*, or some of their Forlorn Mountains.

In whose Court at the *Hague*, he remain'd till the happy Fate of *England* required the Princes presence here, with whom he came into the Quality of an *Admiral*. Whatever has happen'd since, 'tis Notorious no man could be better belov'd by the Sea, then than he was at that time. His Health was drunk by Sea and Land, and the Prince of *Orange* himself was seldom nam'd, but *Admiral Herbert* was with him, whose Letter, after the Princes, to the *English* Fleet, may be suppos'd to have had no small Influence, on them, both to prevent their Engaging the *Dutch*, and hasten their joyning the Princes, as many of them afterwards did. And indeed, so memorable a piece of History is that Letter of his, that it ought not to be divided into a piece of this Nature, and one of the very Original Printed Letters sent then to some Officer in the Fleet, coming to our hands, we shall here, or rather insert the same.

TO ALL  
**Commanders of Ships, and  
 Seamen, in His Majesty's  
 Fleet**

Gentlemen,

**I** Have little to add to what His Highness has express'd in general Terms, besides laying before you the Danger you may you are at present in, where Ruine or Infamy must inevitably attend you; if you do not join with the Prince in the Common Cause for the defence of your Religion and Liberties, for should it please God for the Sins of the English Nation, to suffer your Arms to prevail, to what can your Victory serve you but to enslave you deeper, and overthrow the true Religion in which you have Lived, and your Fathers Dye, of which I beg you as a Friend, to consider the Consequences, and to reflect on the Blot and Infamy it will bring on you, not only now, but in all after-Ages, that by your means the Protestant Religion was destroy'd, and your Country deny'd of its Ancient Liberties, and as it pleases God to Bless the Princes Endeavours with Success (as I do not doubt but he will) consider then what their Condition will be that oppose him in this so good a Design, where the greatest Favour they can hope for is their being suffer'd to end their Days in Misery and Want, Detested and Despised by all good Men.

It is therefore (and for many more Reasons, too long to insert here) that I, as a true Englishman, and your Friend, exhort you to joyn your Arms to the Prince for the defence of the Common Cause, the Protestant Religion, and the Liberties of your Countries.

It is what I am well assured the Major, and best part of the Army, as well as the Nation, will do, so soon as convenience is offer'd. Prevent them in so good an Action, while it is in your power, and make it appear, That as the Kingdom has always depended on the Navy for its defence, so you will yet go further, by making it, as much as in you lies, the Protection of her Religion and Liberties, and then you may assure your self of all Marks of Favour and Honour suitable to the Merits of so Glorious an Action.

After this I ought not to add so inconsiderable a thing as that it will for ever engage me to be, in a most particular Manner

Your Faithful Friend,

and Humble Servant,

Aboard the *Legion*  
in the *Goree*.

AR. Herbert.

What effect this handsome Letter had upon the Fleet, has been already observed, and the Event sufficiently declared; for had the *English* fallen upon the *Dutch* in their Passage hither, they might at least have, in all probability have ruin'd the Expedition, if not the Fleet, there being so vast a number of Transport Vessels, &c. Most of which in a sharp Fight must have been unavoidably Destroyed. But Providence had it seems, design'd better things for the *English* Nation: For at this time, the then Prince of *Orange* Embark'd with his Army for our Deliverance, on a vast number of Vessels, Men of War, Tenders, Transport Ships and all, no less than Seven Hundred Sail, Commanded by Vice Admiral *Herbert*. Not to mention what relates not immediately to his Life, as the Storm which disorder'd 'em at their first setting out, and the consequences thereof known to all *Europe*, two things only may deserve a particular remark in this Affair.

On the happy mistake of the Princes Fleet, as we find it related in the Account given of that Expedition — Which tells us, that the second Night after their setting out, in the middle of the Night, an Advice-Boat brought an Account, that the *English* Fleet consisting of Thirty Three Sail, lay to the Westward of theirs — Upon which the Prince Fired a Gun, which caus'd a great Consternation in the whole Fleet, they having then a brisk Easterly Wind, concluding themselves in great danger — But the small Advice Boats Crusing for a more certain Account of the *English*, soon brought Word, that instead of the *English* Fleet, which the former Advices had <sup>supposed</sup> ~~Advised~~ them with, it was only Admiral *Herbert*, with part of their own Fleet, which had been Sailing, seperated some hours from their main Body, on whole Arrival any one may guess whether they were pleas'd; a Signal of Joy being immediately given on Board, the General, who soon after ordered Admiral *Herbert* and the other Admirals a Board him,

him to Council. — And now indeed 'twas time, for the *English Fleet* were never no farther from 'em, than the *Buoy* in the *Nore*.

Where the other considerable Remarks in this Voyage, relating to *Herbert*, comes in — That those Arguments which he used with the *English Seamen*, as it appears, wrought so much with them, that not the least attempt was made by the Fleet on the Prince, as it passed by them, tho' in more places than one, particularly between *Dover* and *Callis* he drew it in a Line, making, as is said by those who saw it, one of the most Glorious Sights that ever was beheld from the Cliffs of *Callis* or *Dover*.

From hence they stood away to the Westward, and upon the never to be forgotten, and now doubly memorable Fifth of *November*, in the as memorable Year *Eighty Eight*, Landed at *Torby* in *Devonshire*, without the least Opposition, appearance of any Enemy, where we leave the Prince to that glorious Fate attending him, and which soon after fixed on his Head one of the brightest Crowns in *Europe*, and return to the Vice-Admiral, the more especial Subject of the present History, and the *Marine Affairs*, with the Fate of the *English Fleet*, so closely intermixed with his Life, that they cannot be separated.

Among whom, as has been already mentioned, their Love to their Country, and esteem for the Prince and his Admirals wrought so strongly, that the honest Seamen were so far from opposing their great design, that as soon as opportunity was given, they came in by whole Squadrons, to assist in it. Reading the Princes Declaration, on Board most of their Ships, the first that did it, to their eternal Honour, being the New — Then in *Phymouth Road*, Captain *Chorobil*, Commander, after—



afterwards of the *Pendennis*, unhappily lost on the *Kenzib Knock* about a Twelve month since.

And indeed so Unanimous were the Seamen, that if possible, the Revolution was perform'd with more ease and less Blood among them then with us at *Land*, there having not been, that ever could be heard of, one Gun fired on the behalf of King *James*, nor I think one Ship which stuck to his Party; and but a very few Infamous Apostates and Renegades, from their Country and Religion, not many even of Private Persons, which were not honest and firm to that Cause, which all *Europe* was Embarkt in.

And over such a Fleet, and such Men as these, my Lord *Dartmouth* either laying down his Commission, or being removed, was *Mr. Herbert* then appointed *Admiral*. And indeed 'twas now high time our Fleet should be abroad; for, *Ireland* being wholly in the Enemys hand, 'twas not otherwise to be expected, then that the *French* should use their utmost Effects to give us there the strongest Diversion possible, and to assist the Rebels with all their power.

Accordingly they set out from *Brest*, in the Month of *April*, 1688. with a Fleet of upward of Thirty Sail, besides Fire-Ships and Tenders, loaden with Arms, Money, Ammunition and Provision, and some few Men, most of 'em Volunteers, and some stragling *English* Refugees, resolved to be crush'd with their Masters desperate Fortunes.

These, (ours being not abroad soon enough to attend 'em) they Landed at a place called *Bantry-Bay* in *Ireland*, which lies upon the . . . point of that Kingdom, between . . . and . . . and takes its Name from a little Town so call'd; situated in the bottom of it. The Bay it self is large and capacious, and had room enough in it for the greatest Fleets, either to Fight, or run away; the latter of which, as the event stood, the *French* Fleet



were the most inclined to, though they will pretend we have since that followed their example. The Admiral himself was embarked on the *Elizabeth*, and had with him the *Pendenis*, the *Cambridge*, the *Advice*, the *St. David*, the *Dartmouth*, the *Antelope*, and the *Portland*, with others, to the number of — in all. The *Dread-nought* having been sent away, and the *Ruby*, Captain *Froude* Commander, gone with a Prize to *Milford-haven*, which by the Admiral's order he took out of *Cork-haven*. The publick account of the *Bantre-bay* Action, dated the second of *May* 1689. from on board the *Admiral*, is to this purpose.

‘ That Admiral *Herbert* having refuted at *Milford-haven* the Damages which some of his Ships had sustained by ill weather on the Coast of *Ireland*, intended to go directly for *Brest*, but the Wind coming Easterly, which might bring the *French Fleet* out, he stood on the 24<sup>th</sup>. past over to *Kinsale*, which he judg'd the likeliest way to meet them.

‘ That accordingly on the 29<sup>th</sup>. our Scouts made signal that they discovered a Fleet keeping their Wind, which made us likewise wkeep ours all night to hinder them from getting into *Kinsale*. The 30<sup>th</sup>. they heard the Enemy was gone into *Baltimore*, being 44 Sail; whereupon ours bore away to that place, but found there was no sign of them. That in the Evening our Scouts got sight of them again, to the Westward of *Copeclear*. We steer'd after them, and found they were got into the *Bantre*, we lay off the Bay all night, and the next morning by break of day stood in, where we found them at Anchor. That they got presently under Sail, and bore down upon our Fleet in a Line composed of 28 Men of War, and 5 Fireships. That when they came within Musquet-shot of the *Defiance*, the headmost of our Ships, the French Admiral put out the Signal of Battel. which was begun by them, they firing their great and small Shot very furiously on the *Defiance* and the rest, as we came in our Line. That then we made

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‘several boards to gain the Wind, or at least to engage them closer, but finding that way of working very disadvantageous, Admiral *Herbert* stood off to Sea, as well to have got our Ships into a Line, as to have gained the Wind of the Enemy; but found them so cautious in bearing down, that we could never get an opportunity of doing it; and in this posture continued battering upon a Stretch, until five in the Afternoon, when the French Admiral tacked from us and stood away farther into the Bay.

‘That Admiral *Herbert*’s Ship, and some of the rest, being disabled in their Rigging, we could not follow ’em, but we continued some time after before the Bay, and our Admiral gave him a Gun at parting. In this Action Captain *Aylmer* in the *Portland*, (who came in soon enough for the Battel, with others of the Squadron mentioned) and 94 Seamen were killed, and about 250 wounded; as appears by a Survey taken after the Fight, and our Ships received little damage, except in their Sails and Rigging.

‘That as for our Officers and Seamen, that Right must be done them; That they behaved themselves with all the Courage and Cheerfulness that could be expected from the Bravest Men; and that on the other side, without lessening the Enemy, it may be said, That they either wanted Courage or Skill to make use of the advantage of the Place, the VVind, their Fireships, and their number being, at least, double our Force, they having 18 Ships, the least of which was as big as the *Elizabeth*; and it so happened, at the time of the Engagement, Admiral *Herbert* had with him but 8 Third rates, 10 Fourth rates, 1 Fifth rate, and 2 Tenders. And that the Fleet designed to rendezvous and refit at *Scilly*.

This

This is the Substance of what the publick account contains, in relation to that Action. VVe have further, to the same purpose, from those actually present in it, that never was greater Cheerfulness express'd by Men, than was by the *English*, notwithstanding the inequality of the number; they shouting incessantly, not only at the sight of the *French*, but during all the Engagement. That the Admiral had for his own share seven or eight of the *French* battering against him for the most part of the fight, and those present in that very Ship, say, he was above Deck during the *hottest* Service, encouraging his Souldiers, and exposing himself as much as possible, though others have represented things otherwise. They add, That had all the rest behaved themselves as well, and come up to the Fleet, we had in all probability given a better account of the *French* than we did: for which neglect several Officers were some time after tryed, and some punish'd with being cashier'd from their Places and Employments.

'Twas on the 7<sup>th</sup>. of the same Month, when the Admiral arriv'd with his Fleet at *Plymouth*, and the 12<sup>th</sup>. after at *Spithead*, on the fifteenth of which Month His Majesty our Gracious KING WILLIAM arriv'd there from Colonel Norton's House, where he lay the night before. The Principal Inhabitants of the Town, to the number of above an hundred, went out on Horseback to meet him on the way, and drawing up in a line, express'd their Duty and Affection to His Majesty with repeated Acclamations.

But to omit the universal Joy express'd by all Loyal Persons there, at the sight of His Majesty, the ingenious and elegant Speech made by Mr. Recorder, and the Attendance of Mr. Mayor and Corporation, we shall only insist on what pass'd between His Majesty and the Fleet

under Admiral *Herbert*, and the gracious marks of his Favour then shown to the Admiral and Seamen.

The Regiments in Garrison being drawn out, and lining the Street, Admiral *Herbert*, with the chief Officers of the Fleet, met His Majesty near the main Guard, and attended him on board the *Elizabeth*, (the Mayor and Aldermen, &c. waiting upon him to the water-side.) where he entertained His Majesty at a very splendid Dinner; which ended, the King was placed, as a particular Mark of his Favour towards the Admiral, and great satisfaction in his Conduct and good Services, to declare his Royal Intentions, of conferring upon him the Title and Dignity of an Earl of his Kingdom, (as he had before made him one of the Commissioners of the Admiralty.)

At the same time His Majesty was also pleased to confer the Honour of Knighthood upon Captain *John Ashby* Commander of the *Defiance*, the first Ship which engaged with the *French* at the *Bantry*, and since one of the Commissioners for exercising the Office of the Admiralty after the Admiral's Digress: And on Captain *Claudefly Shovel*, who had so often signalized his personal Valour in his Countries Service; particularly at *Tripoly* formerly, under Sir *J. Narborough*, and lately in the Haven of *Dublin*.

Besides this, to encourage and reward the brave Seamen, he distributed among those engaged in the late Brush with the *French* Fleet, a Donative of Ten shillings a man, amounting to Two thousand six hundred pound.

Nor can any imagine, unless they know the Seamen well, and have been present at occasions of that nature, with what Joy and Acclamations both the Officers and

and all the Seamen received so great an Honour from His Majesty, whom they entertained with loud Shouts and Huzzas, and with all the Demonstrations of a true resolution to employ their Lives in His Majesties Service, who soon after went ashore and returned to the place where he formerly Lodged. Nor was he in this promise, any more than the rest of his Life, worse than his word; for some small time after he was pleased to create him Earl of *Torrington*, (one of the Titles of the Late Duke of *Albemarle*) and Baron *Herbert* of *Torbay*, in the County of *Devon*, the Place where he first Landed. Add to this the Thanks of the House of *Commons* to his Lordship for the Service he did the Nation in *Bantry Bay*; and it's hardly possible to imagine a man in the Admiral's Station Greater or Happier than he at that time was, Favour'd by his Prince, Honour'd by his Country, by all men either Admir'd or Envy'd. And indeed his good Fortunes seem now arrived to a kind of *Plethora*, for it was almost impossible they could proceed any higher without Breaking. This was the Pinacle the highest point of his Honour; and some will say of him as it formerly was of the *Roman*, whom his ungrateful country men afterwards dealt so ill with for all his Services- that it had been happy for him if he had just then Dy'd, and sunk into an honourable Tomb, press'd to Death with all his Lawrels, as *Tarpeia* with the Spoils of her Countrys Enemies. But he was reserved for an unkindier Fortune, if any thing can be so to those whom a long and frequent Experience commonly prepares for the most-cruel Accidents. However for a while that unconstant Goddess Flatter'd him as formerly, and all things ran smooth, and even like that flattering Element whereon he had so long been in pursuit of Fame and Glory, which one hour Smiles on the industrious Merchant, and the very next perhaps, as soon as he has Embarked all he is worth, and trusting to its deceitful Promises, goes himself

himself a Board after it, Frowns again more severely than ever, and in a few Moments dashes all his hopes on the Rocks and Sands, or Devours it within its own unfathomable Whirlpools.

He went on, I say, in the same tract of Happiness for some Months after his being thus advanced to so high a Dignity, remaining for the most part at Court, at the King's Hand and Ear, or in the House of Lords, Consulting and Settling the great Affairs of the Nation, living Magnificently and generously, as all the World knew he was wont to do, whenever his Fortunes permitted him; and hardly having another thing to wish, to create or increase his worldly Felicity. But long he continu'd not in the calms of Peace, for the loud voice of VVar began now to call him forth to accustomed Danger and Glory. For our Magnanimous Prince being resolved in Person to attempt the Reduction of *Ireland*, both because other Generals proceeded more prudentially and dared not hazard as much to win all, and because the glory of the Conquest seemed reserved only for his Arms, the *French King* thought that now or never was the time to recover his lost Footing in *England*, and be as much King there as he was in *Ireland*, the late King *James* being more properly the Deputy of *Lewis the Great*, and a kind of *Intendant*, than *Tyrnnonel* was his. Nor could that potent Tyrant ever propose to himself a more favourable Juncture than this seem'd, to accomplish his Desires, to pursue, overtake, divide the Spoil, and satisfy his Lust on his, (as he thought) Defenceless Neighbours: Almost all our Forces being drawn off for *Ireland*; our King the Soul of the Nation gone with them; a Woman in the Administration of the Government. (He had forgot *Q. Elizabeth*, who gave the *Frenth* as well as the *Spaniard* reason enough to remember her:) And besides all this, a very considerable party in our own Bowels Discontented and angry, and at least wishing



a return to *Agypt*, and only wanting a Captain to conduct 'em thither.

Nay, yet worse, if publick Fames, and strong Asseverations, as well as Oaths and undoubted Evidence do not all deceive us, too many here having actually invited the *French* over, as well as corresponded with them after they came, (for which there have been some who have since suffer'd condign punishment.)

Nor is the Famed *Memorial* without great probability of Truth; it being hardly to be imagined that so VVise a Kingdom of *France* would have been at so vast Expences to equip a Navy and appeared on our Coasts with Land-men on Board, and all preparations to make a Descent on the Island, had they not been both Invited hither, and pretty well assured of strong Assistance on their Landing.

Besides, they were no doubt but too well acquainted with the condition of our Fleet, and the number of it, and the place where they lay, and that the Dutch had not yet Joyned us by their Faithless correspondence here, and accordingly their first attempt was to Demolish those wooden VValls, the Defence of our Common-wealth as well as the *Athenians*, that we might be left naked and open to the sudden insults of every Invading Enemy. In prosecution of which Design, tho we had advice that after their first setting out from *Brest*, they were gone into port again; on the 20. of *June* their whole Fleet was discovered off of *Plimouth*; on the 21<sup>st</sup>. from *Waymouth*, and Expresses accordingly dispatched to the Queen at *Whitehall*, and the Admiral then Riding in *St. Helen's Road*.

The French came up with a very fresh Gale of Wind as far as *Freshwater Bay*, where the Wind immediately slackt and turned Northerly, and prevented their firing our Ships, which tis supposed was their design. That night the Admiral (who with the rest of the Officers having received the Sacrament at *Deal*, had some days before left the *Downs* and brought the Fleet thither) ordered



to unmoor, and the next morning weighted and stood out to Sea, coming to an Anchor against *Dunmor*. The day after the Dutch joyned us with seventeen Sail. The 25th. our Fleet discovered the French between them and the shore. The 26th. a Council of Flag-Officers was called on board the Admiral, where twas agreed (not to fight the French, supposing them too strong for us,) but to plye to the East as far as the Flats of the Foreland, and there intangle them in the Sands. From that time our Fleet still kept turning to the East till Sunday Evening, when after a Council twas agreed to engage the French the next day, and accordingly the signal was given for a Line of Battle, which the Seamen received with all the Demonstrations of Joy imaginable.

This was off the *Beachy-Head*, the Dutch in the Van, the Red in the Body, the Blew in the Rear. The Dutch and part of the blew press'd the French so hard, they gave way before them all the former part of the Fight, but few of the red came up, on which the Body of the French Fleet made up to the Dutch, and handled them very severely. Yet about five of the Clock, the French bore away and seem'd to think, they had enough of to warm an Entertainment.

We lost not one Ship in the Fight, and the Dutch but one, tho several disabled, and afterwards burnt by our own men to hinder them from falling into the hands of the Euemy.

The Account the English Gazet gives us of this Action, being very short, we shall here also add. It says, only this, that on the 30. of *June*, we engaged the French-Fleet, consisting of 82 Men of War, on Monday about nine in the morning, off of *Beochy*; the Dutch Squadrons leading the Van, and behaving themselves very bravely: The fight lasted till towards evening, when the French bore away and came afterwards to an Anchor, haveing received considerable damage. The Officers killed on the Dutch side. Rear-Admiral *Jan Dick*, Rear-Admiral *Braske*, and Captain, *Nor-*

" Captain *Nordea*, and of ours Captain *Pumroy*, with two  
 " Captains of the Marine Regiment. The *Dutch* lost like-  
 " wise a Ship, commanded by Captain *Goefz*, who having  
 " his main Mast brought by the Bord, and neglecting to  
 " Anchor as the Fleet did to stop the Tide, fell into the  
 " Enemies Hand ; but the *French* were forced to burn her  
 " after they had taken her.

The Account the Enemies themselves give of this Action, is, that the *Dutch* behaved themselves extremely well : As to the *English* Admiral , they say , never was better Ship nor worse commanded.—But they are Enemies, and we are not bound to believe all they say. We have indeed an Account of a Letter from the *English* Court to my Lord *Dursey* in *Holland* , which says, that the *Dutch* Squadron behaved themselves with so much Bravery, that had —(others)—done their Duty, we should in all probability had a complete Victory.

On the other side, all acknowledge, that a little while after the Engagement begun by the Van-guard of our Fleet, 'twas absolutely impossible for the rest to get up and joyn with them, the Wind failing, or being as they call it, beaten down with the violence of the Fight.

However, so great was the Disatisfaction which the *Dutch* receiv'd by the heaviest part of the Battle falling upon them, and the loss of so many of their Commanders, Ships and Men, that Complaints were immediately made at the *English* Court, as well as Tumults in *Holland*, with Threats to pull down my Lord *Dursey's* House ; the blame was all laid on my Lord *Torrington*, and he accordingly sent for by the Council, and after Examination, confined ; several Commissioners being sent down to make an Inspection into matters on Bord our Fleet : And not long after, my Lord was committed to the Tower of *London*, to answer such matters as should be alledged against him.

At the return of His Majesty from *Ireland*, when the Parliament met, in His Speech to them he expressed a great Concern for this matter ; and pursuant to His Pleasure then signified to 'em, Ordered all things to be put

in a way for his Tryal; which how it should be, whether by Impeachment, Common Law, Court of Admiralty, or Court Marshal, was a long time debated. On the Petition of my Lord *Torrington*, the House of Lords first took the matter into Consideration, but after some Debates, for Reasons known to themselves, were pleased to drop any further Cognizance of the matter. On this, his Lordship some time after Addressed himself to the Honourable House of Commons, before whom he had leave to bring his Case, as appears by the Votes of the House, *Numb. 31.*

*Nov. 11. 1690.* When the House being inform'd, by a Member of the House, that the Earl of *Torrington*, now in Custody of the Marshal of the Admiralty, did desire to be heard before the House, touching the matter for which he was in Custody. It was accordingly Ordered, That the Earl of *Torrington* (according to his desire) should by the Marshal of the Admiralty be brought before the House the Morning after, to be heard accordingly; and the Serjeants at Arms were to give notice of the same to the Marshal of the Admiralty, by delivering him the Order of the House, which being done, the next day, — “The House being informed that the Earl of *Torrington* was in the  
“Lobby, according to the Order of yesterday, his Lord-  
“ship was call'd into the House within the Bar, and heard  
“before the House.

Thus far the publick Votes; and if in his appearance before that Honourable and August Assembly, his Lordship found not so great a readiness of Expression, 'tis what has not rarely happen'd to other great Men before him. This he excus'd, it being more his business to act than speak, and further desired he might have liberty to bring the same in Writing; which being accordingly granted him. The Sum of what he insisted on there in his Defence, 'tis said, was much to this purpose: — His former Services to his Country, his loss of Blood and an Eye in their Quarrel; his suffering for the Protestant Religion and Laws of the  
Land

Land under King *James*.—And for his not fighting, the want of Intelligence, want of Ammunition, shortness of the Wind, Inequality of Number, and as 'tis said, some Letters to the contrary from great Persons, which he there delivered.—All which the Commons heard and considered, but after all remitted him to that way of Tryal now prepared for him, made more clear and feasible by a new Act concerning the Commissioners of the Admiralty, vesting in 'em such Powers as were sufficient for that and other such ends.

Accordingly his Tryal was now expedited with all the haste possible, His Majesty resolving to have it over before His Passage to *Holland*; to which end, Commissioners were appointed, the chief of whom was Sir *Ralph Delavall*; a Jury was summon'd consisting of a select number of Sea Captains then in the Thames and Medway; and after many false Reports about Town, he was at last carried down in the—Yacht, on *Saturday* the 6th of *December*, Anno Dom. 1690, to *Sheerness*, on Board the *Kent*, where his Judges, Jury, and Accusers were present, with the Witnesses for and against him.

Let's leave him there for a little while, and return to *London* whence he Departed; and certainly one cannot easily imagin a more pleasant Scene than this great Hive at that time represented; not a Street, nor Shop, nor House, nor Tavern, nor scarce a Church it self but was full of *Torrington*; the very Merchants upon the Change seem'd to have forgot both their Gains and their Losses, and all other Business; nay left enquiring after their Ships, to ask what News from *Torrington*: The Wagers concerning him were almost infinite, and he was Try'd, Acquitted and Condemn'd at a hundred thousand Tribunals, as many times in an hour, as the fancy or inclinations of the Persons sway'd 'em, before ever the Condition was so much as open'd at *Sheerness*.

For on *Tuesday* News came that little or nothing was done on *Monday* but reading Commissions, and what else was preliminary to the grand Affair, the main of the Tryal being

ing Adjourn'd till *Wednesday*; leaving still more room for hopes and fears and wishes and cares and wagers. *Wednesday* also past without any News here what became of him, for the Tryal not being finish'd till the afternoon, 'twas impossible any Advice should come hither thereof till the morning after; many wise wagers being yet made of both sides after it was already decided; for by *Thursday* early, 'twas all over Town that he was acquitted; by some esteem'd and call'd *surprising News*, to the vexation of one side, and joy of the other, just as their Affections lead 'em.

The manner of his Tryal is thus represented: That after all the requisite Formalities, the Witnesses were call'd, who appeared against him, both *Dutch* and *English*, none of the *English* of any quality, except Capt. D—— several of the *Dutch* Commanders being there also present.

That upon his Tryal, very little which could any ways affect him, or touch his Life or Honour, was made to appear against him: So that after a full and fair hearing of all the Witnesses, and my Lord's Defence, he was finally Acquitted by the Judges, *Nemine Contradicente*, not so much as one of 'em, that we can hear of hesitating on the matter: After which, he was treated with a great deal of respect by the Judges themselves, and others there present, only Reer-Admiral Sk—— of the *Dutch*, as the Tryal already Printed in that Language tells us, expressing his Dissatisfaction in terms something warm and passionate: How the whole *Dutch* Nation will resent it, is not yet known, but must be left to time to unravel: This is certain that the *Dutch* Embassader immediately sent an account of the whole to his Masters.

However, it is certain an *English* Man can only be Tried by *English* Laws, and though there may be many, even of our own Nation as well as theirs; who might be so reasonable as to think it fit he should Die, whether or no he deserved it; and others may be displeased with what has happen'd, merely because they are resolv'd they will be so with all the Actions of the Government; yet we cannot say things have been otherwise than fairly managed; when they have been brought on a fair Tryal; nor is the Government so weak.

God be praised, as to be put to the sad necessity of making State-Sacrifices of innocent men, on account of some polittick Maxim, contrary perhaps both to Honour, Justice and common Reason. And for our Forreign Neighbours, it is certain the best and wisest of them are not very great favourers of the *De-witting* way of Execution, nor can we think they would be willing any man, especially a person of Honour in so high a Station, should be condemn'd; when it did not in the least appear by the Evidence that he deserved it. But whatever this present repentment may be, it is not much question'd but the appearance of His *Britanick* Majesty among them, in that Splendor and Glory which is designed at that *Illustrious Congress* there, which already all Europe have their Hearts and Eyes upon, but that it will effectually all causeless heats and discontents, if any such should there arise from what has happened; and that the Presence of such a Prince as has more than once saved their Liberties, and whatever they had dear or valuable, will break through greater obstacles than these mentioned, and cement much more closely than ever the Union both between all the Confederates, and particularly between the States and *England*, by whose conjoynt care its not much to be doubted, that early this next Spring we may have a Fleet at Sea more Formidable than ever, to regain that Honour which the late unfortunate Summer, we may in some measure, have seem'd to have lost; for really we can't be said to have done it, our unhappy Retreat doing us much more injury than all the *French* Cannon, being the cause of the loss of most, if not all the Ships which Perish'd in the late Engagement: Nor in the mean time can I see what great reason the *French* have to boast their own Fortune or Victory, since 'twas sufficiently visible they could hardly sustain the least part of our Fleet with all their own, and besides the Ships they had sunk or disabled, lost so many men by their own Confusion in the very Fight, and afterwards while upon our Coast, so many more by sickness, with no greater Atchievements to boast of at home, than Conquering half-a-dozen Boats and Hoys with no man to defend 'em, and Burning a few Fishers Huts at *Tinmouth*,

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though



though as their Custom is, running away again before our Forces could come to Engage: 'em, whereof they make so glorious a business in their own Gazettes; nor carrying home so much as one Man of War, nor Merchant from our Channel, as Trophies of their Valour; nor daring abide us when our Fleet was Re-fitted, and would so willingly have spoke with them once more before they parted: And 'tis as pleasant, that their Admiral *Tourville* should be in Disgrace as well as ours, for the same Action, it being a long time questioned, whether he should have had his Commission continued, or taken from him, his King being extremely angry that he did not beat us any more, when we our selves fought him with one Hand ty'd behind us: And yet he was himself in so fair a way of being soundly beaten.

To return from this Digression; on *Thursday* the day after the Lord *Torrington's* Tryal, he came up the River again in a Yacht, and passing through Bridge, went immediately to his own House; and in a few days after, took his usual place in the House of Lords; but we do not hear that he has yet been at Court, or seen His Majesty, only his Commission is superseded, and he no longer Admiral.

And now, let every man make what Reflections he pleases on what passages we have here presented him, in the Life of this Noble Lord. In the mean time thoughts are free, and I know what I'll think, let others think what they will.—That Fortune's a Jade, if she's any thing at all; that she's as deceitful as her Sex, and as slippery as her Wheel. That the most powting Lip she can make, is not enough to fright a brave Man, and that the very best of her Ogelings and Smiles, are not worth whistling after.

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